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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-FILED - 11/21/05

10 UNITED STATES OF AMERICA,) No. CR-05-00559-RMW
11)
Plaintiff,)
12 v.) **STIPULATION AND**
) **ORDER TO CONTINUE STATUS**
13) **HEARING**
JAY DAVID HEMM)
14)
Defendant.)
15)

16 Defendant, Jay David Hemm, through his counsel, Assistant Federal Public Defender
17 Angela M. Hansen, and government counsel, Assistant United States Attorney Gary Fry, stipulate
18 and agree to continue the status hearing date of November 14, 2005 to December 5, 2005 at 9:00
19 a.m.

20 The parties request to continue this case because counsel for Mr. Hemm has requested
21 additional discovery that the government has agreed to provide. Once government counsel
22 provides this information, defense counsel will need time to review it with her client.
23 Additionally, Mr. Hemm is facing charges in Santa Clara County for offenses related to this case.
24 Mr. Hemm has a court appearance presently set for November 30, 2005, and he would like to
25 have his status in this case follow his appearance in state court. For these reasons, the parties
26 stipulate and agree to continue this case until December 5, 2005.

The parties further stipulate and agree that time should continue to be excluded under

1 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) because the ends of justice served by the continuance
2 requested outweigh the best interest of the defendant and the public in a speedy trial because the
3 failure to grant such a continuance would unreasonably deny Mr. Hemm the time necessary for
4 effective preparation.

5
6 November 10, 2005

_____/S/_____
ANGELA M. HANSEN
Assistant Federal Public Defender

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8
9 November 10, 2005

_____/S/_____
GARY FRY
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-05-00559-RMW
)	
Plaintiff,)	ORDER TO
v.)	CONTINUE STATUS HEARING
)	
JAY DAVID HEMM)	
)	
Defendant.)	
_____)	

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the status hearing date of November 14, 2005 is continued until December 5, 2005 at 9:00 a.m. It is FURTHER ORDERED that time will continue to be excluded under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for defense preparation.

Dated: November 21, 2005

/S/ RONALD M. WHYTE
HONORABLE RONALD M. WHYTE
United States District Judge

1 Distribute to:

2 Ms. Angela M. Hansen
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Counsel for Defendant

5 Mr. Gary Fry
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